

AMENDED IN ASSEMBLY APRIL 27, 2009

CALIFORNIA LEGISLATURE—2009—10 REGULAR SESSION

**ASSEMBLY BILL**

**No. 666**

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**Introduced by Assembly Member Jones  
(Principal coauthor: Assembly Member Nava)**

February 25, 2009

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An act to add Section 66474.02 to the Government Code, *and to amend Section 4290 of the Public Resources Code*, relating to subdivisions.

LEGISLATIVE COUNSEL'S DIGEST

AB 666, as amended, Jones. Subdivision maps.

**Existing**

(1) *Existing* the Subdivision Map Act, requires the legislative body of a city or county to deny approval of a tentative map, or a parcel map for which a tentative map was not required, unless it makes certain findings.

This bill would require the legislative body of a county to make 3 specified findings before approving a tentative map, or a parcel map for which a tentative map was not required, for an area located in a state responsibility area or a very high fire hazard severity zone, as defined.

(2) *Existing law requires the State Board of Forestry and Fire Protection to adopt regulations implementing minimum fire safety standards related to defensible space which are applicable to state responsibility area lands under the authority of the Department of Forestry and Fire Protection, and provides that these regulations apply to the perimeters and access to all residential, commercial, and industrial building construction within state responsibility areas approved after January 1, 1991.*

*This bill would require the board, prior to January 1, 2011, to initiate the rulemaking process to consider adopting regulations requiring a minimum of 2 separate access roads from different geographical directions for a subdivision in a state responsibility area.*

Vote: majority. Appropriation: no. Fiscal committee: ~~no~~-yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. Section 66474.02 is added to the Government  
2 Code, to read:

3 66474.02. Before approving a tentative map, or a parcel map  
4 for which a tentative map was not required, for an area located in  
5 a state responsibility area or a very high fire hazard severity zone,  
6 as both are defined in Section 51177, a legislative body of a county  
7 shall make the following three findings:

8 (a) A finding supported by substantial evidence in the record  
9 that the design and location of each lot in the subdivision, and the  
10 subdivision as a whole, would allow improvements, such as roads,  
11 turnarounds, defensible space, and emergency water systems, to  
12 be made consistent with any regulations adopted by the State Board  
13 of Forestry and Fire Protection ~~regarding map approval pursuant~~  
14 ~~to Section 4290 of the Public Resources Code.~~

15 (b) A finding supported by substantial evidence in the record  
16 that structural fire protection and suppression services will be  
17 available for the subdivision through any of the following entities:

18 (1) A county, city, special district, or political subdivision of  
19 the state.

20 (2) The Department of Forestry and Fire Protection by contract  
21 entered into pursuant to Section 4129, 4142, or 4144 of the Public  
22 Resources Code.

23 ~~(c) (1) A finding that there is adequate ingress and egress for~~  
24 ~~each lot in the subdivision for fire protection and suppression~~  
25 ~~services and emergency evacuation of individuals, including but~~  
26 ~~not limited to, a minimum of two separate access roads from~~  
27 ~~different geographical directions in the subdivision that provide~~  
28 ~~clear alternatives for access to the subdivision during a fire~~  
29 ~~emergency.~~

30 ~~(2) The legislative body of a county may waive the requirement~~  
31 ~~of a minimum of two separate access roads in paragraph (1), if the~~

1 legislative body makes findings supported by substantial evidence  
2 in the record that more than one access road is not possible due to  
3 topographic features or land ownership patterns and that redesign  
4 of the subdivision, including reduction in the number of lots or a  
5 reconfiguration of roads and lots to provide more than a single  
6 access road, is not possible. A legislative body shall not waive the  
7 requirement of a minimum of two separate access roads in  
8 paragraph (1) for a subdivision that would create 30 or more lots.

9 (c) A finding that ingress and egress for the subdivision meets  
10 the regulations regarding road standards for fire equipment access  
11 adopted pursuant to Section 4290 of the Public Resources Code.

12 SEC. 2. Section 4290 of the Public Resources Code is amended  
13 to read:

14 4290. (a) The board shall adopt regulations implementing  
15 minimum fire safety standards related to defensible space which  
16 are applicable to state responsibility area lands under the authority  
17 of the department. These regulations apply to the perimeters and  
18 access to all residential, commercial, and industrial building  
19 construction within state responsibility areas approved after January  
20 1, 1991. The board may not adopt building standards, as defined  
21 in Section 18909 of the Health and Safety Code, under the authority  
22 of this section. As an integral part of fire safety standards, the State  
23 Fire Marshal has the authority to adopt regulations for roof  
24 coverings and openings into the attic areas of buildings specified  
25 in Section 13108.5 of the Health and Safety Code. The regulations  
26 apply to the placement of mobile homes as defined by National  
27 Fire Protection Association standards. These regulations do not  
28 apply where an application for a building permit was filed prior  
29 to January 1, 1991, or to parcel or tentative maps or other  
30 developments approved prior to January 1, 1991, if the final map  
31 for the tentative map is approved within the time prescribed by  
32 the local ordinance. The regulations shall include all of the  
33 following:

- 34 (1) Road standards for fire equipment access.  
35 (2) Standards for signs identifying streets, roads, and buildings.  
36 (3) Minimum private water supply reserves for emergency fire  
37 use.  
38 (4) Fuel breaks and greenbelts.

39 (b) These regulations do not supersede local regulations which  
40 equal or exceed minimum regulations adopted by the state.

1     (c) Prior to January 1, 2011, the board shall initiate the  
2     rulemaking process to consider adopting regulations requiring a  
3     minimum of two separate access roads from different geographical  
4     directions for a subdivision located in a state responsibility area.

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7     CORRECTIONS: \_\_\_\_\_

8     Text—Page 4.

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